

Message Text

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PAGE 01 MANILA 13826 221012Z

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ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

USIA-06 AID-05 OMB-01 PC-01 /060 W

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P 220840Z NOV 74

FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 8586

C O N F I D E N T I A L MANILA 13826

E.O. 11652: GDS

TAGS: PINT, RP

SUBJECT: OLIGARCH'S HUNGER STRIKE MAY LEAD TO TRIAL

REF: A. MANILA 13613

B. STATE 256103

1. BEGIN SUMMARY: LOPEZ/OSMENA HUNGER STRIKE NOW IN FOURTH DAY. IN BACKGROUNDER REPORTED ONLY BY FOREIGN PRESS, GOVERNMENT THROUGH INFOSEC HAS LABELED IT AN INCITEMENT AND INDICATED IT WOULD RESULT IN TRIAL. IF TRIAL TAKES PLACE IT WILL PRESUMABLY INVOLVE (AT LEAST AS WITNESS) AMCIT LEHMAN WHO ALLEGEDLY PARTICIPATED IN PLOT TO ASSASSINATE MARCOS. WE DOUBT GOP REALLY WANTS TRIAL; IS SURPRISED AT YOUNG OLIGARCH'S PERSEVERANCE; AND IS IN A QUANDARY ON EXACTLY HOW TO PROCEED. END SUMMARY.

2. AFP REPORT CITED PARA 8 REF B AND CARRIED NOVEMBER 21 WIRELESS FILE (WHICH APPARENTLY BASED ON BACKGROUNDER) REPORTED GOP THROUGH INFOSEC TATAD HAD FLATLY STATED IT WOULD PUT FASTING OLIGARCHS LOPEZ AND OSMENA ON TRIAL. TATAD REPORTEDLY SAID GOP HAD NOT GONE AHEAD WITH TRIAL DESPITE STRONG EVIDENCE IN HOPE THERE MIGHT BE POSSIBLE GROUND FOR CLEMENCY. NOVEMBER 21 AP REPORTED TATAD TERMED HUNGER STRIKE "INCITEMENT" WHICH WOULD RESULT IN LOPEZ AND OSMENA BEING CHARGED IN COURT. NOVEMBER 22 AP REPORT (ZEITLIN) FURTHER AMPLIFIES

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PAGE 02 MANILA 13826 221012Z

TATAD'S REMARKS REPORTING HE SAID DEPARTMENT OF NATIONAL

DEFENSE PLANNED TO BRING CHARGES AGAINST LOPEZ AND OSMENA AND SPEED THEM TO TRIAL. ZEITLIN ALSO NOTES SECRETARY OF DEFENSE ENRILE HAD PREPARED STATEMTNT ON CASE BUT WITHDREW IT PRIOR PUBLICATION.

3. LOPEZ AND OSMENA BEGAN FAST MONDAY NOVEMBER 18 ALTHOUGH GOVERNMENT CLAIMS THEY ATE THAT MORNING. GOVERNMENT HAS REPORTEDLY ISOLATED TWO MEN WHO PREVIOUSLY SHARED SAME COTTAGE, SUSPENDED THEIR VISITATION PRIVILEGES, REFUSED THEM READING MATERIALS, ETC. GOVERNMENT ALSO TURNED DOWN WIVES' REQUEST FOR DAILY VISITS BY PANEL OF FOUR EMINENT PHYSICIANS. DETAINEES SUSTAINING ON OLD GANDHI DIET OF SALT, WATER AND BICARBONATE OF SODA. ACCORDING TO WIVES' NOVEMBER 21 PRESS RELEASE, MILITARY ARE TEMPTING DETAINEES WITH "MOUTHWATERING AND STEAMING FOOD TO BREAK THEIR DETERMINATION."

4. FOREIGN JOURNALISTS GIVING STORY BIG PLAY. IT HAS NOT YET APPEARED IN RECENTLY "UNFETTERED" PRESS OR RADIO. OTHER DETAINEES HAVE NOT JOINED OLIGARCHS STRIKE SINCE ACCORDING TO MRS. OSMENA "THEY BELIEVE THEY (LOPEZ, OSMENA) WERE DOING IT FOR THEMSELVES."

5. AP REPORTS (NOV 22) MANILA'S OUTSPOKEN ARCHBISHOP SIN DISCUSSED HUNGER STRIKE IN DINNER SESSION WITH FOREIGN REPORTERS EVENING NOVEMBER 21, AND LATER ISSUED STATEMENT CRITICAL OF GOVERNMENT'S DETENTION POLICY (TEXT AND COMMENT SEPTEL).

COMMENT: WE ASSUME TATAD'S REMARKS MADE ON BASIS OF HIGH LEVEL GUIDANCE BUT DOUBT REGIME, WHICH APPARENTLY SURPRISED BY OLIGARCHS' PERSISTENCE, HAS DEFINITELY INCLUDED MILITARY TRIAL OF LOPEZ AND OSMENA IN ITS BEST INTEREST. HUNGER STRIKE IS OBVIOUSLY EMBARRASSING TO REGIME. POTENTIALLY MORE EMBARRASSING, HOWEVER, COULD BE SHOW TRIAL (WHICH REQUIRES CAREFUL PREPARATION) AT A TIME WHEN GOP ACCENTUATING HOW MUCH MARTIAL LAW HAS BEEN MODIFIED OVER LAST TWO YEARS. SINCE LOPEZ AND OSMENA ALLEGED TO HAVE PARTICIPATED IN ASSASSINATION PLOT

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANILA 13826 221012Z

AGAINST MARCOS, IN WHICH AMCIT LEHMAN IMPLICATED, WE WOULD EXPECT LEHMAN MIGHT FIGURE IN THEIR TRIAL EITHER AS CO-DEFENDANT OR WITNESS.

STATE 257500 JUST RECEIVED. WE THINK FOREGOING RESPONSIVE TO QUESTIONS RAISED THIS MESSAGE. WE INTEND CONTINUING MONITOR THIS SUBJECT CLOSELY.

SULLIVAN

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PUBLIC DEMONSTRATIONS, POLITICAL PRISONERS, POLITICAL LEADERS, TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CollinP0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MANILA13826
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740338-0825
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741120/aaaaaqwp.tel
Line Count: 115
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A. MANILA 13613
Review Action: RELEASED, APPROVED
Review Authority: CollinP0
Review Comment: n/a
Review Content Flags:
Review Date: 09 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09-Aug-2002 by cunninfo>; APPROVED <17 MAR 2003 by CollinP0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: OLIGARCH'S HUNGER STRIKE MAY LEAD TO TRIAL
TAGS: PINT, RP, (LOPEZ, EUGENIO), (OSMENA, SERGIO)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005